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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/706,032	11/13/2003	Geoffrey S. Mendelson	1263-US	6197

24505 7590 01/09/2007  
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EXAMINER
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WEBER, CHRISTOPHER STEVEN

ART UNIT	PAPER NUMBER
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3714

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/09/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/706,032

Applicant(s)

MENDELSON ET AL.

Examiner

Christopher S. Weber

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 March 2006.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 and 19-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 and 19-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

This office action is in response to the amendment filed by applicant on March 13, 2006. Applicant amends claims 1, 3, 5, 8, 9, and 19, the specification, the drawings, and cancels claims 14 – 18. Claims 1-13 and 19-21 are pending.

### ***Specification***

1. The disclosure is objected to because of the following informalities: The second line of amended paragraph [0022] refers to item 36 as a switch. According to the remainder of the paragraph and the amended drawings, item 36 is an OS emulator and item 38 is a switch. The application will be examined in accordance with item 36 being an OS emulator and item 38 being a switch

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-13 and 19-21 rejected under 35 U.S.C. 102(e) as being anticipated by Link 6,672,963.

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**[Claims 1, 8]** Link teaches a software emulator for emulating different handheld video game platforms on a variety of secondary platforms including a personal digital assistant (Abstract & Figure 1D).

**[Claim 2]** Link teaches a system including: computer having hardware (Figure 1), an operating system, and input/output devices (Elements 554-64); a game storage unit for storing the game software (Elements 52, 66); and a compatibility layer to interface between said computer and the input/output interface of the games (Element 100).

**[Claims 3, 9]** Link teaches a compatibility layer including an input mapper (Elements 104, 54) and an operating system emulator for at least two operating systems. GAME BOY®, GAME BOY COLOR®, and/or GAME BOY ADVANCED® (Abs & Col 6:38-60).

**[Claims 4-7, 10-13]** Link teaches an input mapper comprising a converter to convert between input keys and the expected inputs of a current game wherein the conversion further incorporates a unit or equivalently register per input device emulated, a request unit for interrogating the register based the current game requests (Col 6:61-7:2 & Col 9:30-35). Finally as the gaming device of Link emulates a specific model gaming device such as GAME BOY®, GAME BOY COLOR®, and/or GAME BOY ADVANCED® the input mapper selects the input device and input device type to emulate based on the output of a request unit or equivalently the loading of compatibility information (Figure 18 & Col 12:36-57). Claim language directed to the conversion of at least one unit per input device is correlated to Links description of a keypad emulation (Col 19:31-59 & Col

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6:61-7:2) including the described remapping of inputs and hence any unit associated with said inputs (i.e. button activation) contained therein.

**[Claims 19-21]** In addition to the above Link teaches the downloading (receiving) of a game designed for a variety of different machines and operating systems (Abs & Col 6:23-37), in addition to determining the current expected game interfaces, correlating/converting the expected game interfaces with the present hardware interfaces, and executing the game (Col 6:8-7:2).

### ***Response to Arguments***

4. Applicant's arguments filed on March 13, 2006 have been fully considered but they are not persuasive. Applicant's sole argument is that Link '963 does not teach multiple OS emulators. Link '963 does in fact teach multiple emulators. The GAME BOY® and GAME BOY COLOR ® video game system utilize the Zilog Z80 processor and accompanying operating system while the GAME BOY ADVANCED® uses an ARM processor with a Z80 coprocessor to handle backwards compatibility. This clearly demonstrates that the GAME BOY®/GAME BOY COLOR ® would require a different emulator than the GAME BOY ADVANCED®.

### ***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher S. Weber whose telephone number is 571-272-3064. The examiner can normally be reached on Monday - Friday 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John M. Hotaling can be reached on 571-272-4437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CSW

*Ronald Ganeau*  
PRIMARY EXAMINER  
1/5/07